



Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
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Modernizing the E-Rate)
Program for Schools and Libraries)
_____)

WC Docket No. 13-184

Reply comments of Wayne-Finger Lakes BOCES
Regarding
Notice of Proposed Rulemaking

Introduction

Wayne-Finger Lakes BOCES (WFL) is one of 37 educational agencies providing shared educational programs in New York State. WFL serves a rural, multi-county region in central New York, partnering with districts to provide a broad range of services to meet the ever changing educational needs of students.

In our role as a local education agency, WFL provides a wide range of technology services for both the WFL region as well as the neighboring 4 county region of Genesee Valley BOCES (GV). Regionally, the average school district enrollment is 1,300 students with 22 districts having a total district enrollment under 1,000 students.

As a result of our technology partnership, all districts in our service area have robust in-district local area networks both wired and wireless. In addition, first implemented in 1998, all schools in the region are connected with a high speed fiber network connecting over 200 buildings with access to the internet and web based applications. In recent years, we have expanded our network to include internet access on school busses and broadband equipped laptops in the hands of students for online learning.

We also provide shared voice services allowing districts to maximize the economies of scale of collective purchasing and operations. Much of this has been made possible through the funding provided to our school districts through the E-Rate program. In the program's 18 year history, our region has received nearly \$40 million in E-Rate monies to fund the continued enhancement of the telecommunications infrastructure serving over 70,000 students in our rural communities.

While we applaud the Commission in its attempt to keep the program current with today's technology and enhance technology covered under the program, we strongly recommend that existing categories not be eliminated nor reduced.

We also acknowledge the Commission's efforts in phasing changes over a five year period to minimize the impact on districts already impacted by financial hardships in the economy and in changes in education funding in New York State.

Comments

Wayne-Finger Lakes BOCES fully supports the reply comments submitted to the Federal Communications Commission by the State E-Rate Coordinators' Alliance (SECA) dated November 8, 2013. SECA uniquely understands the impact of E-Rate and the impact of changes to the program on schools and libraries. Their comments clearly detail the impact of the suggested changes on schools and libraries.

Furthermore, Wayne-Finger Lakes BOCES fully supports the reply comments submitted to the Federal Communications Commission by E-Rate Central dated September 16, 2013. E-Rate Central clearly understands the impact of E-Rate program changes on the schools of New York State.

In addition, specific issues in the proposed legislation especially impact the school districts in our region; these include:

- *Shift to Category I and Category II.*

It appears that the intent here is to shift away from a commitment to support monthly connectivity for school telecommunications by moving towards a commitment that Category II would have a permanent, protected funding allotment. Regionally, Category I filings far exceed Category II filings. Any shift of funding from Category I will impact dollars awarded to our schools. We receive approximately \$2.5M annually for all filings, Category II accounts for less than 1 percent.

- *Elimination of Legacy Services.*

The proposal phases out support for voice services and immediately eliminates support for ancillary services, including web-hosting, email and paging services. All 49 of our school districts and BOCES agencies file under this classification. Reduction in this filing area is lost dollars for our schools. Nearly 20% of our current E-Rate funding would be jeopardized by changes in this area.

- *Adjusting the Discount Matrix for the Neediest School and Calculating Poverty at the District (Not School) Level.*

Reducing the top-tier discount level from 90 percent to 80 percent and calculating poverty at the district (not school) level, has the potential to considerably reduce funding for our schools in our rural, high needs region.

- *Decreased FCC/Program Neutrality.*

We recognize and admire that the E-Rate program, under the Commission's guidance has always provided schools and libraries with the flexibility to implement the technology vision that meets their unique strategy. The Commission has long been neutral when it comes to allocating resources - tech neutral, entity neutral, and need neutral.

However, the FCC proposal to consider a program that would be available only to libraries, diverting from the position on being entity neutral and the proposal to eliminate some services and prioritize others is a shift away from absolute tech neutrality.

This diversion from a time honored policy could jeopardize schools from receiving funding which would allow them to implement the technology strategy that best aligns with the needs of their students.

In Summary

We applaud the Commission in its attempt to keep the program current with today's technology and to enhance technology covered under the program. However, we strongly recommend that existing categories not be eliminated nor reduced.

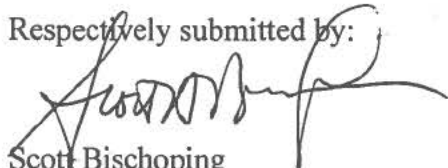
Schools, typically the last to recover in difficult financial times, could be seriously impacted financially by changes to the existing E-Rate program. The impact in our region of 70,000 students and 200 buildings could potentially be a reduction of more than 20% of our \$2.5 million annual E-Rate funding. Any reduction has the potential of jeopardizing the continued operation and growth of our telecommunication infrastructure, relied on by students and staff.

We acknowledge that while some proposed changes appear to increase the complexity of the E-Rate program, a number of proposals are aimed at streamlining the process - greater support for multi-year contracts, elimination of all technology plan approval requirements, easing of the signed contract requirements, mandatory electronic filing of all forms and limited competitive bidding requirements for certain "business class" services.

We recognize that the E-Rate program, under the Commission's guidance has always provided schools and libraries with the flexibility to implement the technology vision that meets their unique strategy. Any diversion from this position could jeopardize schools from receiving funding which would allow them to implement the technology strategy that best aligns with the needs of their students and communities. We urge the Commission to continue their policy of program neutrality.

Finally, we urge the Commission that any changes which may adversely impact school or library funding be transitioned over a multi-year period to allow organizations to plan for the financial impact.

Respectfully submitted by:



Scott Bischooping
District Superintendent